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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,218	03/17/2004	Tak-soo Kim	CU-3588 VE	3534
26530	7590	10/30/2006		
LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1600 CHICAGO, IL 60604			EXAMINER SNIDER, THERESA T	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/802,218

Applicant(s)

KIM, TAK-SOO

Examiner

Theresa T. Snider

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1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 7-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/2/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities:

Exemplary of such:

Page 2, line 12, 'in' should be inserted after 'cleaner'.

Page 6, line 2, 'at' should be inserted after 'engaged'.

Page 7, line 24, 'a' should be replaced with 'the'.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 2, 'the' should be replaced with 'a'.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2 and 4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hurd.

Hurd discloses an accessory body (fig. 1, #10).

Hurd discloses a crevice attachment and an upholstery attachment formed integrally with the body (fig. 2, #14,17).

Hurd discloses a dusting attachment movably disposed on the body (fig. 2, #35, col. 3, lines 7-11).

With respect to claim 2, Hurd discloses the body, crevice attachment and upholstery attachment in fluid communication with each other (fig. 2, #25).

With respect to claim 4, Hurd discloses the crevice attachment and upholstery attachment formed at opposite ends of the body (fig. 2, #14,17).

7. Claims 1-2, 4-6 and 9 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by DE10108639.

DE10108639 discloses an accessory body (fig. 1, #5).

DE10108639 discloses a crevice attachment and an upholstery attachment formed integrally with the body (fig. 1, #3,2).

DE10108639 discloses a dusting attachment movably disposed on the body (figs. 2 and 3, #4).

With respect to claim 2, DE10108639 discloses the body, crevice attachment and upholstery attachment in fluid communication with each other (fig. 1, #3,5,2).

With respect to claim 4, DE10108639 discloses the crevice attachment and upholstery attachment formed at opposite ends of the body (fig. 1, #3,2).

With respect to claim 5, DE10108639 discloses the crevice attachment having a suction port smaller in diameter than the body, the upholstery attachment having a widened section larger than the body and the dusting attachment having brush bristles having ends (fig. 1, #3,5,2).

With respect to claim 6, DE10108639 discloses the body having a rail slot and the dusting attachment having a projection for sliding along the rail (figs. 4-5, #124).

With respect to claim 9, DE10108639 discloses the widened section provided with a floor brush (fig. 1, #16).

8. Claims 1-6 are rejected under 35 U.S.C. 102(a,e) as being clearly anticipated by Pineschi.

Pineschi discloses an accessory body (fig. 1, #1).

Pineschi discloses a crevice attachment and an upholstery attachment formed integrally with the body (fig. 1, #4,10).

Pineschi discloses a dusting attachment movably disposed on the body (figs. 1 and 6, #9).

With respect to claim 2, Pineschi discloses the body, crevice attachment and upholstery attachment in fluid communication with each other (fig. 7, #10,4,1).

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With respect to claim 3, Pineschi discloses the dusting attachment mounted around the outer surface of the body and slidably attached thereto (0023).

With respect to claim 4, Pineschi discloses the crevice attachment and upholstery attachment formed at opposite ends of the body (fig. 1, #4,10).

With respect to claim 5, Pineschi discloses the crevice attachment having a suction port smaller in diameter than the body, the upholstery attachment having a widened section larger than the body and the dusting attachment having brush bristles having ends (fig. 1, #4,11 fig. 7, #11).

With respect to claim 6, Pineschi discloses the body having a rail slot and the dusting attachment having a projection for sliding along the rail (fig. 1, #8,17).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pineschi as applied to claim 5 above, and further in view of DE10108639.

Pineschi discloses a similar accessory assembly however fails to disclose the upholstery attachment having a floor brush.

DE10108639 discloses an upholstery attachment having a floor brush (fig. 1, #16). It would have been obvious to one of ordinary skill in the art to provide the floor brush of DE10108639 in Pineschi to allow for the most effective removal of material from a surface.

12. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pineschi.

Pineschi discloses a similar accessory assembly however fails to disclose angled bristles.

Pineschi discloses the crevice attachment having an inclined opening (fig. 4). It would have been obvious to one of ordinary skill in the art to determine the most appropriate angle of the brush bristles in Pineschi to allow for the most effective agitation of the desired surface.

With respect to claim 11, Pineschi discloses the widened section is oppositely inclined to the opening of the crevice attachment (fig. 1, #3,2).

13. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE10108639.

DE10108639 discloses a similar accessory assembly however fails to disclose angled bristles.

DE10108639 discloses the crevice attachment having an inclined opening (fig. 1, #5). It would have been obvious to one of ordinary skill in the art to determine the most appropriate

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angle of the brush bristles in DE10108639 to allow for the most effective agitation of the desired surface.

With respect to claim 11, DE10108639 discloses the widened section is oppositely inclined to the opening of the crevice attachment (fig. 1, #5,11).

Allowable Subject Matter

14. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

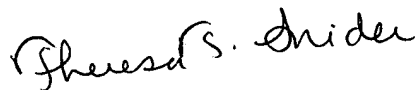
15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hallock and Fahlén disclose an accessory assembly having an accessory body, a brush attachment and an upholstery attachment. Leinfelt discloses an accessory assembly having an accessory body, a brush attachment movably disposed on the body and an upholstery attachment. Na discloses an accessory assembly having an accessory body, a brush attachment movably disposed on the body and a crevice attachment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Theresa T. Snider
Primary Examiner
Art Unit 1744

10/26/06